

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

RON L. SMITH

CIVIL ACTION

v.

SUPERINTENDENT S.C.I. RETREAT, et al.

NO. 11-0861

ORDER

JOHN R. PADOVA, J.

AND NOW, this 6th day of October, 2011, upon careful and independent consideration of the petition for writ of habeas corpus, and after review of the Report and Recommendation of United States Magistrate Judge Jacob P. Hart, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus is DISMISSED WITHOUT PREJUDICE; and
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:


JOHN R. PADOVA, J.